

05-25-05

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PATENT

Attorney Docket No: 7400-X03-043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Sergej POPIKOW

Serial No.: 10/682,383
Filed: October 9, 2003
Patent No.: 6,839,997
Issued: January 11, 2005
Group Art Unit: 3641
Conf. No.: 7807

Certificate
MAY 31 2005
of Correction

Examiner: Michelle R. Thomson

Title: DEVICE FOR REMOVAL OF CARTRIDGES AND/OR
CARTRIDGE CASINGS IN A DROP-BARREL WEAPON

CERTIFICATE OF EXPRESS MAILING

PATENTS

EXPRESS "Express Mail" Mailing Label number EV 674788785US

Date of May 24, 2005

I hereby certify that the attached paper(s) or fee(s) is/are being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.


(Signature of person mailing paper or fee)

ANGELLA JOHNSON
(Typed or printed name of person mailing paper or fee)



PATENT

Attorney Docket: 7400-X03-043

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Appln. No.: 10/682,383

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U.S. Patent No.: 6,839,997

Issued: January 11, 2005

REQUEST FOR RECONSIDERATION RE: CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Attention: Decision and Certificate of Correction Branch
Of the Patent Issue Division**

Dear Sir:

In response to a paper dated May 11, 2005 (copy enclosed) denying the request for a Certificate of Correction, Patentee submits this Request for Reconsideration and supporting documentation.

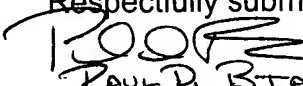
The paper asserted that there was a "failure to fully comply with 35 U.S.C. 119, in that conditional requirements were not met." Patentee respectfully disagrees. In particular, this application was filed as a continuation of International Application PCT/EP02/03787, filed on April 5, 2002 based on German Application No. 101 18 044.6, filed April 11, 2001. This claim for foreign priority was set forth in the executed declaration and acknowledged in the updated filing receipt, copy of which is enclosed.

In the Notice of Allowability (Paper PTOL-37 (Rev. 1-04)), a copy of which is enclosed, the Examiner also acknowledged the priority claim, but erroneously indicated that none of the priority documents were received. The priority document was satisfied

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by WIPO. In other words, the International Bureau transmitted a copy of the priority application to the USPTO during the International Phase.

As this error is solely attributable to an Office mistake, no fee is believed to be due with this submission. However, should any fee be due, please charge the appropriate fee to the Deposit Account of the undersigned, Account No. 500601 (Docket no. 7400-03-043).

Respectfully submitted,

PAUL D. BIANCO 43,500
For Martin Fleit, Reg. #16,900

Enclosures

Martin Fleit
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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov



COPY

May 11, 2005
Patent No. :6,839,997
Inventor(s) :Martin Fleit, et al.
Issued :January 11, 2005
Title :DEVICE FOR REMOVAL OF CARTRIDGES AND/OR CARTRIDGE
:CARTRIDGE CASINGS IN A DROP-BARREL WEAPON

Doc./File No.:

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction and a corrected patent under the provisions of Rule 1.322.

Accordingly, the alleged error concerning the omission of the priority data on the printed patent resulted from applicant's failure to fully comply with 35 U.S.C. 119, in that conditional requirements were not met.

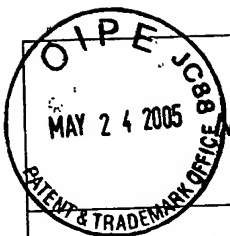
In view of the forgoing, applicants request in this matter is hereby denied. Any inquiry concerning this communication should be directed to Ms. A. Green (703) 308-9380 ext. 123.

For Cecelia Newman
Decisions & Certificates
of Correction Branch

(703) 308-9390 or (703) 308-9380 ext. 123

Martin Fleit
Fleit, Kain, Gibbons, Guthman, Bongini, Bianco P.L.
601 Brickell Key Drive, Suite 404
Miami, FL 33131

CBN/arg



Notice of Allowability

Application No.	Applicant(s)	
10/682,383	POPIKOW, SERGEJ	
Examiner	Art Unit	
Michelle (Shelley) Thomson	3641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/9/03.

2. ☒ The allowed claim(s) is/are 1-9.

3. ☒ The drawings filed on 09 October 2003 are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☒ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/9/03

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

COPY



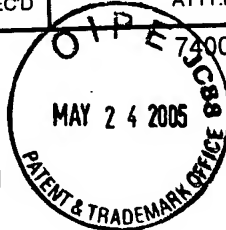
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/682,383	10/09/2003	3641	900	7400-X03-043	6	9	1

27317

FLEIT KAIN GIBBONS GUTMAN & BONGINI
 COURVOISIER CENTRE II, SUITE 404
 601 BRICKELL KEY DRIVE
 MIAMI, FL 33131

**COPY**

CONFIRMATION NO. 7807

UPDATED FILING RECEIPT



OC000000012227699

Date Mailed: 03/30/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sergej Popikow, Weitnau, GERMANY;

Domestic Priority data as claimed by applicant

This application is a CON of PCT/EP02/03787 04/05/2002

Foreign Applications

GERMANY 101 18 044.6 04/11/2001

If Required, Foreign Filing License Granted: 01/08/2004

Projected Publication Date: 07/08/2004

Non-Publication Request: No

Early Publication Request: No

Title

Device for removal of cartridges and/or cartridge casings in a drop-barrel weapon

Preliminary Class